



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Walter CONARD, et al.

Serial No.: 10/087,446

Group Art Unit: N/A

Filed: 03/01/2002

Examiner: N/A

For: MAIL WEIGHING SYSTEM AND SCALE APPARATUS

PETITION UNDER 37 C.F.R. §1.47

Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Notice of Missing Parts dated May 22, 2002, a petition for a for three (3) month extension of time up to and including August 22, 2002, being filed concurrently herewith, Applicants hereby petition as follows:

A. ALL AVAILABLE JOINT INVENTORS

In accordance with MPEP § 409.03(a), all the available joint inventors, Walter Conard, Patrick Casher, John O'Callaghan, Frederick Hegland, Roy Schoon, and George Rabindran declare that the remaining inventor Daniel Gibbons is unavailable. The available joint inventors, Walter Conard, Patrick Casher, John O'Callaghan, Frederick Hegland, Roy Schoon, and George Rabindran, therefore, declare on behalf of Jie-Ming Yu as required by 37 CFR § 1.64.

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B. PROOF OF REFUSAL

In accordance with MPEP § 409.03(d), Ms. Maribel Barron, executive assistant at Bell & Howell Company, submits an affidavit, attached, that fully describes the exact facts, which are relied upon to establish that a diligent effort was made to contact Daniel Gibbons.

C. LAST KNOWN ADDRESS

In accordance with MPEP §409.03(e), the last known address of Daniel Gibbons
406 N. Beverly Ln., Arlington Heights, Illinois 60004.

D. PETITION FEE

The petition fee of \$130.00 in accordance with 37 CFR 1.117(i) has been authorized to be charged to the deposit account of 500417. Furthermore, the petition fee for an extension of time under 37 CFR. 1.136 of \$920.00 has also been authorized to be charged to the deposit account of 500417.

E. CONCLUSION

As required under 37 CFR 1.136 a three (3) month extension of time fee in the amount of \$920.00 , a petition fee in the amount of \$130.00, and the Notice to File Missing Parts fee in the amount of \$130.00 and the basic filing fee of \$740.00 are hereby authorized to be charged to the deposit account of 500417.

Serial No.: 10/087,446

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



David M. Tennant
Registration No. 48,362

600 13th Street, N.W.
Washington, DC 20005-3096
(202)756-8000 DT:MWE
Facsimile: (202)756-8087
Date: August 22, 2002

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Docket No.: 63288-381

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Walter CONARD, et al.

Serial No.: 10/087,446

: Group Art Unit: N/A

Filed: 03/01/2002

: Examiner: N/A

For: MAIL WEIGHING SYSTEM AND SCALE APPARATUS

RENEWED PETITION UNDER 37 C.F.R. §1.47

Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Decision Refusing Status Under 37 C.F.R. §1.47(a) mailed October 23, 2002, regarding the Petition filed August 22, 2002, (hereinafter referred to as "the dismissed petition") Applicants hereby renews the dismissed petition and responds to the remarks of the Decision as follows:

- 1) The October 23, 2002 Decision states that there is no indication that the person signing the dismissed petition (David M. Tennant) was ever given power of attorney or authorization to prosecute, and moreover, that the application does not indicate a change in address having been filed.
 - a) To the contrary, we enclose a copy of the Power of Attorney By Assignee and Change of Address executed on July 18, 2002, which was filed concurrently with the Response To Notice Of Missing Parts Of Application (*See Tab H9*), a copy of the USPTO postcard as proof of submission (*See Tab G*), and a copy of the cover **RECEIVED**

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WDC99 674627-1.063288.0381

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letter to the Response To Notice Of Missing Parts Of Application (listing Power Of Attorney By Assignee at item 9). (*See Tab H*) Please note that page 1 of the Power Of Attorney By Assignee lists David M. Tennant having power of attorney and page 2 indicates the appropriate address to which correspondence regarding the above-identified application should be directed.

- b) It is respectfully requested that the Power Of Attorney By Assignee is acknowledged and correspondence address is corrected.
- 2) The October 23, 2002 Decision states that "Petitioner has met requirements (1)-(2) of 37 C.F.R. §1.47(a) [petition fee and surcharge fee], but fails to meet requirements (3)-(6).¹ Our response follows in turn:
 - a) Regarding the third requirement, the Decision states that the petitioner has failed to include a statement of the last known address of the non-signing inventor.
 - i) To the contrary, item (C) of the dismissed petition provides the last known address in accordance with MPEP §409.03(e). (*See Tab H5, (C)*). As shown, the last known address for Mr. Gibbons was: 406 N. Beverly Ln., Arlington Heights, Illinois 60004.

¹ (3) - A Statement of the last known address of the non-signing inventor;
(4) - Proof that a copy of the entire application (specification, claims, drawings, and the oath or declaration) was sent or given to the non-signing inventor;
(5) - Proof that the non-signing inventor refuses to sign the oath or declaration after having been presented with the application papers if the inventor refuses to sign, or proof that diligent efforts have been made; and
(6) -a declaration which complies with 37 C.F.R §1.63

- ii) The Office of Petitions is requested to contact the undersigned if further information is required, although, it is not apparent what further information would be required.
- b) Regarding the fourth requirement, the October 23, 2003 Decision indicates that the statement made by Maribel Barron at item 2 of the Declaration (1) does not reveal where the package was sent and (2) that the Airborne Express number suggests that the package does not exist.
 - i) Regarding the statement that the Declaration does not reveal where the package was sent, petitioner does not find any explicit requirement of such. Instead, it is required to show that a copy of the entire application "was sent or given to the non-signing inventor." Items 2 and 3 of the Declaration clearly indicate that the package was sent to Daniel Gibbons for review and signature via next day air and that Daniel Gibbons responded the next day referencing documents sent by Bell & Howell. The facts show Mr. Gibbons received and acknowledged the package. As such, he was clearly "sent or given" the materials, as required by the rules. (*See Tab H4*)
 - ii) Nevertheless, Petitioner encloses herein a new declaration executed by Maribel Barron. (*See Tab C*) The enclosed declaration indicates that the package was sent to Daniel Gibbons at the address corresponding to the last known address indicated under item (C) of the dismissed petition.
 - iii) Regarding the statement that the tracking results suggest that the package does not exist, petitioner adamantly disagrees. It is customary that shipping

companies remove tracking information from websites soon after the package has been delivered. The earlier Decision apparently is based on the assumption that the absence of tracking information on a website, checked well after the ship date of June 5, 2002, negates a statement made in a declaration, to the best of Ms. Barron's knowledge. Ms. Barron is here testifying on the record that she sent the package and Mr. Gibbons responded. The newly executed declaration continues to indicate tracking information to the best of Ms. Barron's knowledge. (*See Tab C*). Whether or not a third party, who is not testifying, maintains relevant data on line, does not negate the evidence submitted by Ms. Barron.

- c) Regarding the fifth requirement, the October 23, 2002 Decision states that since it has not been shown under the fourth requirement, one cannot refuse to sign something, which has not been seen.
 - i) The newly executed declaration discussed under section (b) of this response corrects the alleged deficiency.
 - ii) As stated at item 3 of her new declaration, Ms. Barron testifies that Mr. Gibbons refused to even review the documents that he was given.
- d) Regarding the sixth requirement, the October 23, 2002 Decision states that the Declaration contains non-initialed and non-dated changes by inventor Hegland.

- i) Enclosed herein are fax copies of a newly executed Declaration, which show execution by Walter Conard, Patrick Casher, John O'Callaghan, Frederick Hegland, and Roy Schoon. (*See Tab D*).
- ii) While a new declaration (*See Tab D*) has not been executed by Mr. Rabindran, the declaration (*See Tab H1*) previously submitted was properly executed by Mr. Rabindran. That declaration did not include any changes with respect to Mr. Rabindran. As such Mr. Rabindran has appropriately declared that he is a joint inventor of the subject invention with the other named inventors. It is submitted that Mr. Rabindran's declaration together with the new declaration satisfies the rules regarding declarations by the six signing inventors.

Accordingly, all requirement under 37 C.F.R. §1.47 have been met. It is respectfully requested that this renewed petition is favorably granted, and that this application is made by the signing inventors on behalf of themselves and the non-signing inventor, Mr. Gibbons. If there are any questions regarding this renewed petition or the application in general, the Office of Petitions is requested to contact the undersigned.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



David M. Tennant
Registration No. 48,362

600 13th Street, N.W.
Washington, DC 20005-3096
(202) 756-8000 KEG:DT
Facsimile: (202) 756-8087
Date: April 23, 2003



Docket No. 71663288-381

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Walter CONARD, et al. :
Serial No.: 10/087,446 : Group Art Unit: N/A
Filed: 03/01/2002 : Examiner: N/A
For: MAIL WEIGHING SYSTEM AND SCALE APPARATUS

DECLARATION OF MARIBEL BARRON FILED IN SUPPORT OF
PETITION UNDER 37 C.F.R. §1.47

Commissioner for Patents
Washington, DC 20231

Sir:

I, Maribel Barron, to the best of my knowledge and belief, do hereby state as follows:

1. I am an executive assistant with Bell & Howell Company, the company having a proprietary interest in the above-identified patent application.
2. On June 5, 2002, I sent a package containing a copy of the above-identified patent application (including the specification, claims, and drawings), a declaration, and an assignment to Daniel Gibbons for review and signature. The package was sent next-day air via Airborne Express with a tracking number of 15524280951 to the address of 406 N. Beverly Ln., Arlington Heights, Illinois 60004.
3. On June 6, 2002, I received an e-mail from Daniel Gibbons who stated that "[i] do not plan on reviewing this or any other documents that B&H sends me until we come to agreement regarding an hourly rate for reviewing these documents." (See Exhibit A)

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4. Daniel Gibbons no longer works for Bell & Howell Company. His last day with Bell & Howell was September 10, 1999.
5. Pursuant to Daniel Gibbons' employment agreement, Daniel Gibbons is required to cooperate in the procurement of patents and to execute all documents, make all rightful oaths, etc., and generally do everything lawfully possible to aid Bell & Howell Company to obtain and enjoy patent protection for application(s) directed to subject matter of which Daniel Gibbons is an inventor. Daniel Gibbons is also required to assign all patent rights to Bell & Howell Company. (**See Exhibit B**)
6. To date, despite my diligent efforts, to have Daniel Gibbons execute the Declaration and Assignment documents, Daniel Gibbons has explicitly refused to sign the papers for this application.
7. I declare that all statements made herein and of my own knowledge are true and that all statements made on information are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of any application or patent issued thereon.

3/16/03
Date

Maribel Barron
Signature of Maribel Barron

EXHIBIT A

Barron, Maribel

From: Barron, Maribel
Sent: Monday, June 10, 2002 8:32 AM
To: 'DGibbons6@cs.com'
Subject: RE: FW: MERLIN Patent

Hi Dan,

I appreciate your prompt response. I will forward accordingly. Thank you.

Maribel

-----Original Message-----

From: DGibbons6@cs.com [mailto:DGibbons6@cs.com]
Sent: Thursday, June 06, 2002 5:15 PM
To: Maribel.Barron@bellhowell.com
Subject: Re: FW: MERLIN Patent

Hi Maribel,

Please forward this message to the appropriate parties.

I have the same problems with the scale patent as I had with the MERLIN patent. Of highest concern to me at the moment is compensation. I do not plan on reviewing this or any other documents that B&H sends me until we come to agreement regarding an hourly rate for reviewing these documents.

Regards,
Dan

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AUG 26 2002
OFFICE OF PETITIONS

BELL & HOWELL COMPANY

AGREEMENT CONCERNING CONFIDENTIAL INFORMATION, INVENTIONS, AND IDEAS

This is an agreement between BELL & HOWELL COMPANY, and its subsidiaries, hereinafter called

"COMPANY," and

DANIEL J. G. BANS

(EMPLOYEE NAME)

1103 E. Williams Dr.

(EMPLOYEE ADDRESS)

hereinafter called "EMPLOYEE."

EMPLOYEE, in consideration of his employment by COMPANY, agrees:

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AUG 26 2002

OFFICE OF PETITIONS

(a) That, during his employment by COMPANY and thereafter, EMPLOYEE will hold in strictest confidence and not use or disclose to any person, firm or corporation, without the written authorization of an officer of COMPANY, any information, manufacturing technique, process, formula, development or experimental work, work in process, business, trade secret, or any other secret or confidential matter relating to the products, projects, programs, sales, customer lists, price lists or data, or business of COMPANY which are not generally known to the public including any such material developed by him, (all hereinafter called "Confidential Information"), except as such disclosure or use may be required in connection with his work for COMPANY.

(b) That EMPLOYEE will comply with government-prescribed regulations and contract provisions related to the exportation of technical data or to the safeguarding of government information and transferring or making available to the government of such patent rights as may be the subject of contracts between COMPANY and any Government or any of its agencies.

(c) That EMPLOYEE will disclose promptly in writing to COMPANY'S Patent Department or such other person as COMPANY may designate, all ideas, inventions, improvements, discoveries and writings, whether or not patentable or copyrightable made or conceived by him (either solely or in collaboration with others) during his employment with COMPANY, whether or not during regular working hours and, if based on Confidential Information as defined in Paragraph 1 hereof, within one year thereafter, if such inventions relate to either:

- (1) the subject of EMPLOYEE'S work for COMPANY; or
- (2) products, projects, programs or business of COMPANY of which EMPLOYEE had knowledge acquired in the course of EMPLOYEE'S work, or otherwise; or
- (3) any business of the COMPANY during EMPLOYEE'S employment.

All of the ideas, inventions, improvements, discoveries and writings described in this paragraph 1(c) shall be hereinafter referred to as "such ideas".

(d) That EMPLOYEE will, during the term of his employment and thereafter, at the request of COMPANY and without expense to EMPLOYEE:

- (1) cooperate in the procurement in the name of COMPANY of patent, utility model, design and copyright protection to cover such ideas, including the execution of domestic, foreign, divisional, continuing and reissue applications for Letters Patent, Utility Models, Designs and Copyright Registrations and assignments thereof; and
- (2) execute all documents, make all rightful oaths, testify in all proceedings in

Government Offices, in the Courts concerning such ideas, and generally do every thing lawfully possible in any controversy, or otherwise aid COMPANY, to obtain, enjoy and enforce proper protection on such ideas.

(e) That EMPLOYEE shall maintain, for disclosure to COMPANY, complete written records of all such ideas. Such records shall bear dates and signatures and show (1) the full nature thereof, and (2) the critical dates pertaining to conception, development and reduction to practice. Such records shall be the sole property of and be readily available to COMPANY.

(f) That all of EMPLOYEE'S rights in and to such ideas, including the right to publish or not publish such ideas, and his rights in and to all Letters Patent and Applications for Letters Patent, Utility Models, Designs and Copyrights and Convention and other property rights relating thereto, hereby are assigned to COMPANY and shall become and remain the property of COMPANY, unless released in writing by COMPANY as hereinafter provided.

(g) That, upon request of COMPANY or at the time of his termination of employment, EMPLOYEE will deliver to COMPANY only, and shall not retain for his own or others' use, any and all drawings, blueprints, notes, memoranda, specifications, devices, formulae, documents, and any other material and all copies thereof relating to EMPLOYEE'S work or COMPANY'S products, projects, programs or business of which he had knowledge.

(h) EMPLOYEE will be compensated by COMPANY for any services required hereunder after termination of his employment at the same rate as he was being compensated at the date of termination.

EMPLOYEE agrees that during the term of his employment by COMPANY, he will not, either directly or indirectly, for himself or any third party, engage in any activity competitive with COMPANY or sell or deal in any products or services similar to those sold or rendered by COMPANY.

If EMPLOYEE petitions COMPANY in writing to release any of its rights relating to any of such ideas, the COMPANY will promptly consider and act on such petition, but is not obligated to release any of its rights therein.

EMPLOYEE warrants that the attached Exhibit A, signed by him, comprises a complete description of all unpatented or unpublished ideas, inventions, improvements, discoveries and writings excluded from this agreement which he made, prior to his employment by COMPANY which relate to the present products, projects, programs or businesses of the COMPANY, and to which he now claims title. If no such exhibit is attached, no such unpatented or unpublished ideas, inventions, improvements, discoveries and writings are excluded from the provisions of this agreement.

IF AN EXHIBIT A IS ATTACHED, EMPLOYEE WILL INITIAL HERE _____

Neither this agreement nor any benefits hereunder are assignable by EMPLOYEE, but the terms and provisions hereof shall inure to the benefit of COMPANY'S successors and assigns, and shall be binding on EMPLOYEE'S heirs and successors in interest.

This agreement constitutes the entire agreement between COMPANY and EMPLOYEE with respect to the subject matter herein, except that it shall not in any way affect, supersede, or alter any previous agreements in which COMPANY has specifically released rights in any ideas, inventions, improvements, discoveries or writings.

TE 3 - 7G - 92

Donald J. Bibbatt
EMPLOYEE

NOTICE

THE INVENTION ASSIGNMENT PROVISIONS OF YOUR AGREEMENT DO NOT APPLY TO AN INVENTION FOR WHICH NO EQUIPMENT, SUPPLIES, FACILITY, OR TRADE SECRET INFORMATION OF THE COMPANY WAS USED AND WHICH WAS DEVELOPED ENTIRELY ON YOUR OWN TIME, UNLESS THE INVENTION RELATES TO THE BUSINESS OF BELL & HOWELL OR TO BELL & HOWELL'S ACTUAL OR ANTICIPATED RESEARCH AND DEVELOPMENT, OR UNLESS THE INVENTION RESULTS FROM ANY WORK PERFORMED BY YOU FOR BELL & HOWELL.

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060720--071

Applicant:	Walter CONARD, et al.										Docket No.:	63288-381								
Title:	MAIL WEIGHING SYSTEM AND SCALE APPARATUS										Serial Reg./Patent No.:	10/087,446								
Date Sent:	4/23/2003										<input checked="" type="checkbox"/> Hand Carried	<input type="checkbox"/> Fax	<input type="checkbox"/> Electronic	<input type="checkbox"/> Cert. of Mailing	<input type="checkbox"/> Express Mail No.:					
<input checked="" type="checkbox"/> Transmittal Letter	Response to Decision Requiring Status Under 37 CFR 1.47(a)										<input type="checkbox"/> Letter submitting _____ pages of drawings	<input type="checkbox"/> Req. for Approval of Drawing Amendments								
<input checked="" type="checkbox"/> Other:											<input type="checkbox"/> Req. for Oral Hearing	<input type="checkbox"/> Req. for Appeal	<input type="checkbox"/> Appeal Brief	<input type="checkbox"/> Reply Brief						
New Patent App.	<input type="checkbox"/> Utility										<input type="checkbox"/> Design	<input type="checkbox"/> Cont.	<input type="checkbox"/> CIP	<input type="checkbox"/> Inv.	<input type="checkbox"/> PCT	<input type="checkbox"/> CPA	<input type="checkbox"/> RCE	<input type="checkbox"/> Proc.		
pages of Specification												<input type="checkbox"/> Rule 312 Amendment Letter								
pages of Claims												<input type="checkbox"/> Req. for Acknowledgment of Child Act								
pages of Abstract												<input type="checkbox"/> Issue Fee								
pages of Formal/Informal Drawings												<input type="checkbox"/> Publication Fee								
<input checked="" type="checkbox"/> Small Entity												<input type="checkbox"/> Req. for Certificate of Correction								
<input checked="" type="checkbox"/> Large Entity												<input type="checkbox"/> Maintenance Fee for _____ years after grant								
<input checked="" type="checkbox"/> Declaration/Power of Attorney												<input type="checkbox"/> Fee Address Indication Form								
<input type="checkbox"/> Recodification of Assignment/Security Agreement												<input type="checkbox"/> Terminal Disclaimer								
<input type="checkbox"/> Information Disclosure Statement												<input type="checkbox"/> Petition to Commissioner								
<input type="checkbox"/> Form PTO 1449												<input type="checkbox"/> Status Inquiry								
<input type="checkbox"/> copies of cited references												Other: Received Petition Under 37 CFR 1.47: Declaration by Martha Bannister of 3840 N. Century of Decision Requiring Status Under 37 CFR 1.47. Copy of Petition of Martha Bannister U.S. PTO Date: Stampless Postcard. Previous Response to Notice of Missing Parts of Application. Requester: Bannister & Company, Inc. Received _____								
<input type="checkbox"/> Preliminary Amendment																				
<input type="checkbox"/> Response to Missing Parts Notice																				
<input type="checkbox"/> Resp. to Notice to Correct App. Papers																				
<input checked="" type="checkbox"/> Request for 4 month Extension of Time																				
Check for \$		<input checked="" type="checkbox"/>	Charge Deposit Acct. 5004173	1450	Aty Inv.	KEG/ DT	Inv. #	4235	Secty. or PL	0 Tenant										
CAS Descrip.:	Four Month EOT																			

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McDERMOTT, WILL & EMERY
600 13th Street, N.W.
Washington, D.C. 20005-3096
202-756-8000

Main Facsimile No. (202) 756-8087
Facsimile Operator No. (202) 756-8090

FACSIMILE

Date: April 25, 2003 Time Sent:

TO:

Name	Company	Facsimile No.	Contact No.
Attn: Office Of Petitions	U.S. Patent and Trademark Office	703 308 6916	

FROM: David M. Tennant Direct Phone: 202 756-8328

E-Mail: dtenant@mwe.com

Client/Matter/Tkpr: 63288-381-5789 Originals Follow by Mail: No

Number of Pages, Including Cover: 13

Re: App. Ser. No. 10/087,446

MESSAGE:

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PETITIONS OFFICE

This facsimile originates from the Washington office of McDermott, Will & Emery. If there are any problems regarding the reception of the number of pages listed above, please call our facsimile center at the following number: 202-756-8090 (M-F 7:30 a.m. to 9:00 p.m.), or the sending party at the above listed number.

THE INFORMATION CONTAINED IN THIS FAX MESSAGE AND ANY ATTACHMENTS HERETO IS INTENDED ONLY FOR THE PERSONAL USE OF THE DESIGNATED RECIPIENT(S) NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION AND, AS SUCH, IS PRIVILEGED AND CONFIDENTIAL. IF YOU ARE NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERY TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU FOR YOUR COOPERATION.

FAX OPERATOR	TIME CONFIRMED	CONFIRMED BY

AFTER SENDING RETURN THIS FAX TO: _____ at _____

Action	Registration Number	Registration Status	POA Type	Name
	26106	ACTIVE	Associate	STEINER,ARTHUR
	37578	ACTIVE	Associate	STEWARTDAVID L
	44363	ACTIVE	Associate	STRICKLAND,WESLEY
	39552	ACTIVE	Associate	SWITZER,MICHAEL D.
	48362	ACTIVE	Associate	TENNANT,DAVID
	43959	ACTIVE	Associate	TRAINOR,DANIEL S.
	47170	ACTIVE	Associate	WATSON,KELLI
	44488	ACTIVE	Associate	WEIFFENBACH,CAMEP
	41557	ACTIVE	Associate	WEISSTUCH,AARON
	34523	ACTIVE	Associate	WISEEDWARD J
	48041	ACTIVE	Associate	WOLLER,JEFFREY
	36324	ACTIVE	Associate	YAMPOLSKYALEXANDR
	36976	ACTIVE	Associate	ZELNICKROBERT W

Errors: 0

Row: 0 of 47

pshanoski

06/27/2003

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner:Bell & Howell CompanyApplication No./Patent No.:10/087,446Filed/Issue Date:3/1/02Entitled:MAIL WEIGHING SYSTEM AND SCALE APPARATUSBell & Howell Postal Systems Inc., a Corporation,

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)



states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. [] An assignment from the inventor(s) of the patent application/patent above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. [X] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From:The Inventors To:Bell & Howell Postal Systems, Inc.

The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From:_____ To:_____

The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From:_____ To:_____

The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

[] Additional documents in the chain of title are listed on a supplemental sheet.

[X] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

8-22-02

Date

Signature

Typed or printed name

Title

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comment on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

APR 25 2003**OFFICE OF PETITIONS**



FORM PTO-1596
1-31-92

Docket No.: 63288-381

PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commissioner for Patents and Trademarks: Please record the attached original documents or copy thereto:

1. Name of Conveying Party(ies):

Walter CONARD, Patrick CASHER, John O'CALLAGHAN,
Daniel GIBBONS, Frederick HEGLAND, Roy SCHOON and
George RABINDRAN

Additional name(s) of conveying party(ies) attached? Yes

3. Nature of Conveyance:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Assignment | <input type="checkbox"/> Merger |
| <input type="checkbox"/> Security Agreement | <input type="checkbox"/> Change of Name |
| <input type="checkbox"/> Other | |

Execution Date: July 17, July 15, June 12, July 18, July 18
and July 2, 2002

2. Name and address of receiving party(ies):

Name: BELL & HOWELL POSTAL SYSTEMS INC.

Address: 3400 West Pratt Avenue
Lincolnwood, IL 60712

Additional name(s) & address(es) attached? Yes

4. Application number(s) or patent number(s):

If the document is being filed together with a new application, the execution date of the application is:

A. Patent Application No(s).

10/087,446, filed March 1, 2002

B. Patent No(s).

Additional numbers attached? Yes

5. Name and address of party to whom correspondence
concerning document should be mailed:

Name: McDERMOTT, WILL & EMERY

Internal Address:

Street Address: 600 13th Street, N.W.

City: Washington State: DC Zip: 20005

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

500417

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy
of the original document.*

David M. Tenant, 48,362

Name and Registration No. of Person Signing

Signature

Date

 August 22, 2002

Total number of pages comprising cover sheet: 1

CMB No. 0851-0011 (exp. 4/94)

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U.S. PATENT AND TRADEMARK OFFICE